

**Abstract**

The method and apparatus of the present invention includes reducing the power level by a delta value in excess of the reduction in the bit error rate and its proportionate power reduction rate in response to a data rate change. If the bit rate is reduced to eighth, then the power transmission level can be reduced to a value of  $1/(8+\Delta)$  relative to FULL power. As an additional aspect of the present invention, the base station controller also generates a selectable frame error rate, calculates the corresponding signal to noise ratios that will provide the commanded frame error rate. The FER may be selected according to data type or source or according to power transmission level and for data rate.

15